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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4153/2024**

P

.....Petitioner

Through: Mr. Rohit Shukla, Adv.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hitesh Wali, APP with SI Renu.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

24.04.2025

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1. In the present petition, petitioner is seeking to set aside the order dated 09.02.2024 passed by the learned Sessions Court in case no. 402/2020, vide which, the learned trial court dismissed the application of the petitioner filed under Section 311 Cr.P.C.
2. Vide judgment of even date i.e. 09.02.2024, respondent no.2 was acquitted by the trial court. Petitioner has already challenged the order dated 09.02.2024 by preferring the appeal being CRL.A. 651/2024 titled as "P vs. State of NCT of Delhi and Anr." which is pending before this Court.
3. According to learned counsel for the petitioner, one of the grounds in the appeal is that the application under Section 311 Cr.P.C was dismissed by the Sessions Court.
4. Once the final judgment is passed, all the orders passed in the proceedings during the trial merge into the final order. Petitioner has already challenged the judgment of acquittal by preferring the appeal. In



view thereof, no fruitful purpose would be served by keeping the present petition pending.

5. At this stage, Mr. Rohit Shukla, learned counsel for the petitioner seeks permission to withdraw the present petition stating that he would urge all his contentions in CRL.A. 651/2024.

6. The statement made by learned counsel is taken on record, and the petition is dismissed as withdrawn.

RAVINDER DUDEJA, J

APRIL 24, 2025/ib